

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA
CIVIL MINUTES - JURY TRIAL DAY 8

Phoenix Division

MDL 15-2641-PHX-DGC

DATE: 3/26/2018

Year Case No Initials

Title: IN RE: Bard IVC Filters Products Liability Litigation
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HON: DAVID G. CAMPBELL

Traci C. Abraham

Deputy Clerk

Patricia Lyons/Elaine Cropper

Court Reporter

APPEARANCES:

Ramon Lopez, Mark O'Connor, Julia Reed-Zaic, Robin Lourie, Hadley
Matarazzo, Laura Smith

Attorney(s) for Plaintiff(s)

Richard North, James Condo, Elizabeth Helm, Greg Dadika

Attorney(s) for Defendant(s)
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PROCEEDINGS: X Jury Trial Day 8

1st Bellwether Trial -Plaintiff Sherr-Una Booker

8:30 Court in session. Parties are present. Exhibits admitted on 3/23/2018 subject to redactions discussed. Parties are still discussing and will have an answer for the Court by early afternoon. Court has received the briefing on the FDA warning letter. Review of documents before a witness testifies discussed. Parties to work out a resolution. Shari Allen O'Quinn testimony of current employment and Juror #5 daughter being employed same location discussed. Plaintiff moves to strike testimony, denied. Court will voir dire juror #5. Plaintiff objection to Dr. Paul Briant and exhibit 7809 discussed. Defendant Rule 50 motion to be argued on 3/27/2018 at 4:30 p.m. 8:53 Juror #5 brought in and voir dire held re: testimony of Shari Allen O'Quinn. Court and parties satisfied. 8:57 Jury present. 8:59 John Van Vleet sworn and examined. Exhibits 5335,5334,5336 5340,5602, 5942,5923 admitted subject to further discussion of parties for possible redactions. Exhibits 5283,5290,2252 admitted. 10:30 Court in recess.

10:45 Court in recess. Parties present. Jury present. Objections to testimony of John Van Vleet discussed at sidebar. 10:48 John Van Vleet examination continues. Exhibit 709 admitted. 11:05 Dr. Audrey Fasching sworn and examined. Exhibit 7465,7467 demonstrative only not admitted, displayed. 11:57 Jury excused. Report of Dr. Fasching discussed. 12:00 Court in recess.

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1:00 Court in session. Parties are present. Jury present. Dr. Audrey Fasching examination continues. Exhibit 7468 demonstrative only not admitted, displayed. 1:25 Dr. Paul Briant sworn and examined. Exhibit 7809,7811,7812,7813,7685,7677,7814,7816,7702,7936,7935 demonstrative only not admitted, displayed. 2:30 Court in recess.

2:44 Court in session. Parties present. Jury present. Dr. Paul Briant examination continues. 2:59 Robert Carr Jr. examined in defense case. Exhibit 6089 demonstrative only not admitted, displayed. Exhibit 5022, 5017,5232,5526,5252,5523,5187,5164,5296,5301,5304,5302 admitted. Exhibit 5182,5179,5178 admitted subject to further discussions of parties for possible redactions. 2:59 Robert Carr Jr. recalled and examined. Exhibits 5022,5017,5232,5526,5252,5523,5187,5164,5301,5302,5296,5304 admitted. Exhibit 5182,5178,5178 admitted subject to redactions after further discussion of the parties. 4:20 Jury excused until 9:00 a.m. on 3/27/2018. 4:22 Court order on 3 deposition designations of defendant discussed. Court will review the FDA warning letter briefing this evening. Jury instructions red line version to counsel for review and discussion on 3/27/2018. Plaintiff moves for additional time. Discussion held. 4:38 Court in recess.

Jury trial continues on 3/27/2018 at 8:30 a.m.